

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ONEWEST BANK, FSB,

Plaintiff,

-against-

HSBC BANK USA NATIONAL  
ASSOCIATION, AS TRUSTEE OF THE  
DEUTSCHE ALT-A SECURITIES  
MORTGAGE LOAN TRUST, SERIES 2006-  
AR5,

Defendant

Docket No. 10-cv-4855 (SHS)

ECF Matter

**NOTICE OF PLAINTIFF ONEWEST  
BANK, FSB'S MOTION FOR SUMMARY  
JUDGMENT**

PLEASE TAKE NOTICE that upon the accompanying (i) Memorandum of Law in Support of Plaintiff OneWest Bank, FSB's Motion for Summary Judgment; (ii) OneWest Bank, FSB's Local Rule 56.1 Statement of Undisputed Facts in Support of its Motion for Summary Judgment; (iii) Declaration of Aaron Wade in Support of Plaintiff OneWest Bank, FSB's Motion for Summary Judgment dated December 6, 2010, and the exhibits attached thereto, and (iv) Declaration of Kenneth T. Murata in Support of Plaintiff OneWest Bank, FSB's Motion for Summary Judgment dated December 6, 2010, and the exhibits attached thereto, the undersigned will move this Court, before the Honorable Sidney H. Stein for summary judgment on Plaintiff's claims, pursuant to Federal Rule of Civil Procedure 56(c).

Dated: December 6, 2010

O'MELVENY & MYERS LLP

By: /s/ Kenneth T. Murata  
Kenneth Murata  
7 Times Square  
New York, New York 10036  
Tel: (212) 326-2000  
Fax: (212) 326-2061  
E-mail: kmurata@omm.com

- and -

Brian P. Brooks (*Pro Hac Vice*)  
1625 Eye Street, NW  
Washington, DC 20006  
Tel: (202) 383-5300  
Fax: (202) 383-5414  
E-mail: bbrooks@omm.com

*Attorneys for Plaintiff OneWest Bank, FSB*

**CERTIFICATE OF SERVICE**

I, Kenneth T. Murata, hereby certify that on December 6, 2010, I served a true and correct copy of OneWest Bank, FSB's foregoing Notice of Motion for Summary Judgment via the Court's ECF system and by e-mail on the following persons:

Richard A. Spehr, Esq.  
Michael O. Ware, Esq.  
Jennifer M. Rosa, Esq.  
MAYER BROWN LLP  
1675 Broadway  
New York, New York 10019

*Counsel for Defendant HSBC Bank USA, National Association*

\_\_\_\_\_  
/s/ Kenneth T. Murata  
Kenneth Murata